

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

25

COMMISSIONERS

2005 MAR 24 A 9:31

Arizona Corporation Commission

DOCKETED

MAR 24 2005

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY

*AK*

STAFF OF THE UTILITIES DIVISION,

DOCKET NO. W-02105A-04-0880

Complainant,

vs.

MOUNT TIPTON WATER COMPANY, INC.

Respondent.

DOCKET NO. W-02105A-03-0303

IN THE MATTER OF THE APPLICATION OF  
MOUNT TIPTON WATER COMPANY, INC. FOR  
A RATE INCREASE.

PROCEDURAL ORDER

**BY THE COMMISSION:**

On December 10, 2004, the Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") filed a Complaint against Mount Tipton Water Company ("Mt. Tipton") alleging Mt. Tipton has not complied with various conditions set forth in Decision No. 67162 (August 11, 2004).


Mt. Tipton failed to timely file an Answer to the Complaint.

By Procedural Order issued February 15, 2005, a pre-hearing conference was scheduled for the purpose of discussing the procedures governing this matter.

A pre-hearing conference was held as scheduled on March 10, 2005. Staff appeared through counsel and Respondent appeared through the Secretary of its Board of Directors. During the pre-hearing conference, Staff recommended that a status conference be set for a future date in order to allow time for Respondent to cure the alleged lack of compliance with the requirements of Commission Decision No. 67172. Staff stated that if it is satisfied that Respondent has cured the alleged lack of compliance prior to the date of the status conference, Staff will file a motion to withdraw its complaint prior to that date. Respondent was amenable to Staff's recommendation.

1 IT IS THEREFORE ORDERED that, unless Complainant has filed a motion to withdraw the  
2 above-captioned Complaint prior to April 28, 2005, a status conference on the Complaint shall be  
3 held on **April 29, 2005, at 2:30 p.m.**, at the Commission's offices, 1200 West Washington Street,  
4 Phoenix, Arizona.

5 Dated this 24<sup>th</sup> day of March, 2005

8   
9 TEENA WOLFE  
10 ADMINISTRATIVE LAW JUDGE

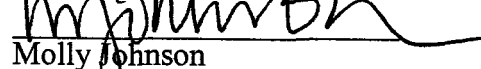
11 The foregoing was mailed/delivered  
12 this 24<sup>th</sup> day of March, 2005 to:

12 Kelly Schwab  
13 MOUNT TIPTON WATER COMPANY, INC.  
14 15996 N. Ironwood Drive  
15 P.O. Box 38  
16 Dolan Springs, AZ 86441

15 Christopher Kempley, Chief Counsel  
16 Legal Division  
17 ARIZONA CORPORATION COMMISSION  
18 1200 West Washington Street  
19 Phoenix, AZ 85007

18 Ernest G. Johnson, Director  
19 Utilities Division  
20 ARIZONA CORPORATION COMMISSION  
21 1200 West Washington Street  
22 Phoenix, AZ 85007

21 ARIZONA REPORTING SERVICE  
22 2627 N. Third Street, Ste. Three  
23 Phoenix, AZ 85004-1003

23 By:   
24 Molly Johnson  
25 Secretary to Teena Wolfe